

4.11.1.1 PROFESSIONAL STANDARDS COMMITTEE JOB DESCRIPTION

PURPOSE:

Members of the committee to serve on hearing panels, as required; to hear matters of alleged ethical misconduct by board members, as referred by the Grievance Committee; or to decide arbitrations when invoked. The hearing panel's findings and recommendations for disciplinary action, if any, are forwarded to the Board of Directors for affirmation, rejection or modification. Committee should make recommendations to the Education Committee on courses that detail professional practice, etiquette, courtesies, and conduct.

CHAIR:

The Chair shall be appointed by the President who must use the following parameters:

1. Shall have been a member of the committee for at least the previous two years; or
2. shall have served as a member of two ethics or arbitration panels: or
3. shall have served as a chair of at least one ethics or one arbitration panel; or
4. shall have demonstrated leadership capability, i.e. served in an officer or director position for the Association.

In the event that there are no candidates who satisfy the criteria set forth above or those who are qualified refuse to accept, the President shall appoint a Chair who most closely fits the criteria set forth above.

CHAIR DUTIES:

When a case has been referred to a hearing by the Chair of Grievance Committee, the Chair sets a time, date, and place for the hearing, and recommends to staff those members of the committee who should comprise the hearing panel.

VICE CHAIR:

Shall be appointed by the Chair. Performs the duties of the Chair in his absence.

MEMBERS:

There shall be at least 18 members of the Professional Standards Committee who are members of the Board, appointed by the President subject to confirmation by the Board of Directors. They are appointed annually in such numbers and in such manner as to create staggered terms of three years to ensure continuity of knowledge and experience by the committee. Members of the Nevada Real Estate Commission shall be precluded from serving on the Professional Standards or Grievance Committee.

DUTIES:

1. Be thoroughly familiar with current editions of:
 - (A) The Code of Ethics, NATIONAL ASSOCIATION OF REALTORS®
 - (B) Interpretations of the Code of Ethics, NATIONAL ASSOCIATION OF REALTORS®
 - (C) Bylaws of the Reno/Sparks Association of REALTORS®, Inc.
 - (D) Code of Ethics and Arbitration Manual, NATIONAL ASSOCIATION REALTORS®, which will be provided annually to each committee member.
 - (E) NNRMLS Rules and Regulations
 - (F) Applicable Nevada Revised Statutes and Nevada Administrative Code
 - (G) Antitrust Compliance Manual

3. When appointed to a hearing panel for ethics or arbitration, panel members shall be thoroughly familiar with the case in advance of the hearing. Panel members shall impartially hear cases and render a decision based on the facts presented using their

experience and knowledge of the real estate profession, which in their mature judgment maintain the high ethical standards of that profession. If it is evident to a Hearing Panel Chair that a panel member has not thoroughly reviewed the case in advance of the hearing, it is the responsibility of the Chair to advise the panel member in private, of the importance of their role as a panel member and advance preparation. (Professional Standards Committee chair and the Chief Executive Officer should be advised if this situation arises.)

4. Failure to live up to the responsibilities of committee membership may lead to the dismissal from the committee by the committee chair with approval of the Board of Directors.
5. The Professional Standards Chair should consider a committee member who has served on at least two (2) hearing panels prior to appointing the member to act as chair of a hearing panel
6. Recommend topics for proper ethical conduct to be posted in the Association electronic newsletter.
7. Recruit new members to the Professional Standards Committee, promoting the value of the committee and the adherence to the Code of Ethics.

GENERAL PROCEDURES:

1. Speakers for Business Meetings – to speak on most common violations of the Code of Ethics – educational tool.
2. If a Respondent answers a complaint with a counter complaint dealing with the same transaction, the panel may, at its discretion, conduct one hearing.
3. Only officially signed and dated complaints shall be forwarded.
4. Any violations of the NNRMLS Rules and Regulations brought to the attention of a Hearing Panel during the course of a hearing should be referred to the NNRMLS Trustees at the conclusion of the Professional Standards hearing process.
5. Panel Members shall not circumvent the Professional Standards Committee by participating in hearings outside the structure of the Board.
6. The Professional Standards Committee and the Grievance Committee shall conduct joint meetings as necessary.
7. Any changes in the Code of Ethics and Arbitration Manual by the NATIONAL ASSOCIATION OF REALTORS® shall be disseminated as widely as possible.
8. Any discussion pertaining to a particular case should include the Chair of the Professional Standards Committee and the Chair of the Hearing Panel.
9. The Chair of the Professional Standards Committee will serve as an ex-officio member of the Grievance Committee and vice versa.
10. Professional Standards Hearing panels may recommend to the Board of Directors that a decision be forwarded to the Nevada Real Estate Division as a violation of the public trust. Public trust in accordance with the Code of Ethics and Arbitration Manual refers to demonstrated misappropriation of client or customer funds or property, willful discrimination, or fraud resulting in substantial economic harm.
11. Cases to be affirmed by the Board of Directors will not include the names of the parties, subject property or panel members who participated.

Approved by Bylaws & Policy: 8/26/08
Approved by Board of Directors: 8/28/08